

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 Case No.: 2:11-cv-01421-JAD-GWF

4 Billy Cepero,

5 Plaintiff

6 v.

7 Las Vegas Metropolitan Police Department, et.  
8 al,

9 Defendants

**Order Adopting  
Report & Recommendation**

[ECF Nos. 111, 122]

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11 This seven-year-old excessive-force case returns to this court after the Ninth Circuit  
12 reversed a 2014 dismissal order.<sup>1</sup> Plaintiff Billy Cepero moved for leave to amend his  
13 complaint,<sup>2</sup> and Magistrate Judge George Foley, Jr., granted that motion in part, denied it in part  
14 without prejudice, and recommends that I deny with prejudice Cepero's request to allege claims  
15 against Doe Defendants I-XX because those claims would not relate back to the original  
16 complaint and the statute of limitations on them has long since passed, so amendment would be  
17 futile.<sup>3</sup> The deadline for Cepero to object to that recommendation was yesterday, and Cepero  
18 filed nothing. "[N]o review is required of a magistrate judge's report and recommendation  
19 unless objections are filed."<sup>4</sup> Having reviewed the R&R, I find good cause to adopt the  
20 magistrate judge's recommendation, and I do.

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23 <sup>1</sup> ECF No. 84.

24 <sup>2</sup> ECF No. 111.

25 <sup>3</sup> ECF No. 122 at 16, 18.

26 <sup>4</sup> *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474  
27 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Accordingly, IT IS HEREBY ORDERED that the Magistrate Judge's Recommendation [ECF No. 122] is ADOPTED; Cepero's request to allege claims against Doe Defendants I-XX is DENIED with prejudice because that amendment would be futile.

Dated: October 31, 2018

U.S. District Judge Jennifer A. Dorsey